

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DAVID ARTHUR DEPONTE,
Plaintiff,
v.
STOHL, et al.,
Defendants.

Case No. 1:24-cv-00695-KES-HBK (PC)
ORDER TO STRIKE UNSIGNED PLEADING
(Doc. No. 42)


On August 12, 2024, Plaintiff filed a pleading titled “Objecting to the Magistrate Judges [sic] Order Denying Plaintiff’s Motion for Appointment of Counsel and Injunction [sic] Relief.” (Doc. No. 42, “Motion:”). Because the motion is unsigned, the Court will strike it.

Rule 11 requires all pleadings, written motions, and other papers be signed by at least one attorney of record or by a party personally if the party is unrepresented. Fed. R. Civ. P. 11(a); *see also* Local Rule 131(b) (E.D. Cal. 2023). “The Court must strike an unsigned paper unless the omission is promptly corrected after being called to the attorney’s or party’s attention.” Fed. R. Civ. P. 11(b). In its First Informational Order, the Court advised Plaintiff that “[e]ach document submitted for filing must include the **original signature** of the filing party.” (Doc. No. 21 at 2, ¶ G) (emphasis in original). The Court further warned Plaintiff that any unsigned document may be stricken. (*Id.*). To the extent Plaintiff wishes the Court to consider the issues raised in his Motion, he must refile a signed motion.

1 Accordingly, it is **ORDERED**:

2 The Clerk of Court shall **STRIKE** Plaintiff's unsigned pleading (Doc. No. 42). Plaintiff
3 may re-file a signed motion as appropriate.

4
5 Dated: August 21, 2024


HELENA M. BARCH-KUCHTA
UNITED STATES MAGISTRATE JUDGE